

FILED

United States District Court

JUN 27 2005

MIDDLE DISTRICT OF ALABAMA

UNITED STATES OF AMERICA

CLERK
U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.
CRIMINAL COMPLAINT

v.

LEIGH ROHAN and
NICOLE BROADFOOT

CASE NUMBER:

2:05mj 79-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 17, 2004, in Autauga county, in the Middle District of Alabama defendant(s) did,

knowingly and willfully combine, conspire, confederate and agree together and with others known and unknown to knowingly and intentionally possess and possess with intent to distribute approximately 266.3 grams of a mixture and substance containing a detectible amount of methamphetamine, a Schedule II controlled substance,

in violation of Title 21 United States Code, Section(s) 841(a)(1) & 846,

I further state that I am a HIDTA Task Force Agent and that this complaint is based on the following facts:
Official Title

See attached Affidavit which is incorporated by reference herein

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Joe Jensen

Signature of Complainant

Sworn to before me and subscribed in my presence,

JUNE 27, 2005 at MONTGOMERY, ALABAMA
Date City and State

VANZETTA P. MCPHERSON, U. S. Magistrate Judge
Name & Title of Judicial Officer

Vanzetta P. McPherson
Signature of Judicial Officer

A F F I D A V I T

Affiant, Joe Herman, being duly sworn deposes and says:

1. He is an Alabama State Trooper, assigned as an Agent for the Alabama Bureau of Investigation's Narcotics Operations Service, and detailed to the Major Investigation Team of the High Intensity Drug Trafficking Area Task Force (HIDTA), which are both located at the Investigative Operations Center in Montgomery, Alabama. Your affiant is cross-designated and federally deputized by the United States Drug Enforcement Administration (DEA) which empowers him with authority under Title 21, United States Code. Your affiant has twenty-two years of law enforcement experience in which the past twelve have been extensively directed in narcotics investigations. The facts and information in this affidavit are based on your affiant's personal knowledge and the knowledge of other law enforcement officers.

2. On June 17, 2004, your affiant received information from Millbrook Police Lieutenant John Hurst that Leigh Rohan and Nicole Dawn Braodfoot were in custody and at the Millbrook Police Department being interviewed. According to Lieutenant Hurst, Prattville Police Officers received information from a citizen who had found a black bag along Interstate 65 north of Montgomery. When the citizen inspected the bag's contents, the citizen found what he believed to be illegal narcotics. The citizen subsequently contacted the Prattville Police Department relative to his discovery.

3. On that same date, Prattville Police officers Bruce Little and David DeJohn, and Central Alabama Drug Task Force Agent Tom Reid went to the area where the citizen found the bag in an attempt to find any other contraband that might also be along side the road. While looking for additional contraband, Leigh Rohan and Nicole Dawn Braodfoot

arrived in Rohan's vehicle. Officers DeJohn and Little conducted a field interview with Rohan and Broadfoot, who identified herself as Pedra Boles. During that interview, Officer DeJohn smelled an odor of marijuana coming from inside Rohan's vehicle. Officer DeJohn asked and obtained consent to search Rohan's vehicle at which time approximately one half ounce of methamphetamine and drug paraphernalia were found in Rohan's purse. Both Rohan and Broadfoot were subsequently transported to the Millbrook Police department for questioning.

4. After a rights advisement by DeJohn which was witnessed by Hurst, Rohan acknowledged that she had spoken with Jake Nofz who told her about a bag containing drugs that had been thrown out of a vehicle's window along the interstate and that she was there to look for the bag. Rohan told Officer DeJohn that she thought the plain clothed officers along side the road were "chicken heads" who were also looking for the methamphetamine.

6. After a rights advisement by DeJohn as witnessed by Hurst, Broadfoot stated that she received a telephone call from Rohan about going on a "mission." Rohan arrived at Broadfoot's residence after which the two traveled to the area of Interstate 65 where they came in contact with law enforcement officers. As stated by Broadfoot, Rohan told her that someone had gotten paranoid and threw a bag out along the interstate. Broadfoot stated that they were there to look for the bag and was under the impression that they could keep whatever was found.

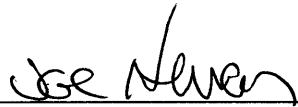
7. Broadfoot continued and said that she had traveled to Atlanta Georgia with a person identified as "Putt Putt" on at least one occasion when they obtained a quarter to a half pound of methamphetamine, and also on a separate occasion, accompanied a person

named "Paul" to Atlanta where she and "Paul" obtained a quarter pound of "Ice." Broadfoot also said that she has obtained multiple ounces of "Ice" in Atlanta from a person named "Thad".

8. On August 24, 2004, your affiant interviewed Jacob Noftz and during that interview Noftz explained the course of events relative to the methamphetamine that was recovered on June 17, 2004. Noftz said that he received a call from Steve Wilson who told him that Wilson threw methamphetamine out the window of his truck while fleeing from police during a traffic stop. Noftz said later that day, he coincidentally received a call from Rohan who was looking to buy "Ice." It was during that phone call that Noftz told Rohan that his source of supply Steve Wilson had thrown "Ice" out the window of his vehicle while traveling the interstate because Wilson had fled from a Montgomery Police officer during the course of a traffic stop. Noftz added that he told Rohan that if she found the bag to bring it to him.

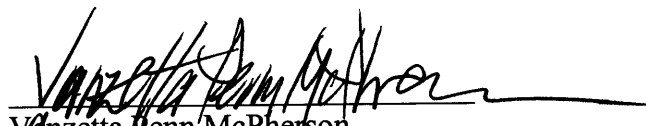
9. On October 1, 2004, your affiant interviewed Steve Wilson. During that interview, Wilson said that he fled from a Montgomery Police officer on June 17, 2004 after the officer had him stopped. While Fleeing, Wilson said that he handed his companion a black bag containing "Ice" which the companion subsequently threw out the window for fear of being caught with methamphetamine.

10. The "Ice" methamphetamine recovered on June 17, 2004 was sent to the DEA laboratory in Dallas Texas for analysis. Toxicology reports indicate the weight of the methamphetamine recovered was approximately 266.3 grams of methamphetamine.



Joe Herman, Agent
Alabama Bureau of Investigation

Sworn to and subscribed before me this 27th day of June, 2005


Venzetta Penn McPherson
United States Magistrate Judge